

If this newspaper printed no ads to-day there would not be nearly so many people on the streets who are in a HURRY.

VOL. CVII. NEW SERIES—NO. 14,020.

The Courier-Journal.

LOUISVILLE, TUESDAY MORNING, MAY 21, 1907.—12 PAGES.

Your store-ad. decides whether you are "on the list" of the shoppers to-day. If you are ~~you~~ needn't worry.

PRICE THREE CENTS.
ON TRAINS FIVE CENTS.

The Weather.

Forecast for Tuesday and Wednesday: Kentucky—Fair and warmer Tuesday; Wednesday increasing cloudiness and possibly showers in west portion.

Indiana—Fair and warmer Tuesday; Wednesday showers; light to fresh east winds.

Tennessee—Fair Tuesday; Wednesday partly cloudy.

The LATEST.

At yesterday's session of the lower house of the Russian Parliament, from which all the Radical representatives were conspicuously absent, Premier Stolypin made a formal announcement of the discovery of the plot to kill the Emperor, Grand Duke Nicholas and himself and a resolution expressing the great joy of the House at his majesty's escape from the danger and the deepest indignation at the criminal conspiracy was unanimously adopted.

Superman, the three-year-old colt of James R. Keene's stable, won the Brooklyn Handicap yesterday afternoon on a track footed deep in mud. Superman covered the distance of one mile and a quarter in 2:09, beating Beacon Light, who was second, by a length. C. E. Durnell's five-year-old Nelson took third money. Go Between and Buttling, favorites, ran indifferent races.

Much depends upon which of the five opposing candidates succeeds in organizing the convention at Henderson today to nominate a Democratic candidate for Railroad Commissioner in the First district. A coalition against Finn on the part of the opposing candidates is expected. Confidence was expressed last night in all camps.

County Judge Shely, at Lawrenceburg, has ruled he has no power to alter an order made at a former session of court, fixing June 11 as the date for a local option election in that city. Liquor men asked him to postpone the city election till July 27, when the county votes. An injunction suit is threatened in the matter.

Judge Landis, of the Federal Court at Chicago, yesterday fined F. A. Holbrook, the American Seating Company and the A. H. Andrews Company \$5,000 each and nine other furniture companies amounts ranging from \$500 to \$2,000 for violation of the anti-trust laws.

Resolutions strongly denouncing work of night riders and calling upon all friends of the planters in the fight on the trust to help put an end to violence were adopted at a meeting of the dark tobacco growers' organization of Christian county at Hopkinsville.

All testimony in the trial of Judge Hargis for alleged complicity in the Cockrill assassination at Jackson has been given and arguments will be begun at Lexington to-day. The case will go to the jury about noon to-morrow, it is thought.

All efforts to bring about a settlement of the Evansville street railway strike have so far been unsuccessful. Cars were attacked yesterday in various parts of the city and all the lines suspended operations at 4 o'clock in the afternoon.

Clarence Lebus, of Cynthiana, has written to Congressman Gaines, of Tennessee, going fully into the effort of the Burley Tobacco Society to secure legislation favorable to the interests of the growers of Kentucky and Tennessee.

Following the assassination of three police officials serious rioting occurred yesterday in Odessa, the Black Hundreds running amuck in the streets and mercilessly beating the citizens, particularly Jews.

The Haywood trial at Boise probably will be halted to-day for lack of jury material. Only nine of the special veniremen remain, and the Sheriff will be sent to bring in fifty more men.

Uncle Sam's only woman diplomat, Mrs. Margaret A. Hanna, for a number of years Private Secretary to Assistant Secretary of State Adele, will attend the peace conference at The Hague.

Nine heirs attending the sale of effects of the late John Smith, at Franklin, became ill of ptomaine poisoning after eating canned salmon. One is in a serious condition.

A merger of all the Kentucky subsidiary companies of the Chesapeake and Ohio railway will be announced at the directors' meeting of that road in Richmond, Va., to-day.

C. J. Norwood, of Kentucky, is among the State geologists who are in session in Washington, with a view to outlining the work of all the surveys for the field season.

The strike at the Lorain, O., plant of the American Shipbuilding Company is at an end. All the machine riveters and their helpers have returned to work.

The temperature question continues to be the chief topic of discussion among the 1,000 commissioners of the Northern Presbyterian general assembly.

The Government has decided to renew the cases against the so-called fertilizer trust before the United States District Court at Richmond, Va.

The longshoremen's strike at Montreal has been settled.

MAY BE FIELD AGAINST FINN

Opposition At Henderson Tries To Get Together.

Much Depends Upon Organization of Convention.

Confidence Expressed By All Five Candidates.

MUCH MIDNIGHT OIL BURNED.

Henderson, Ky., May 20.—[Special.] Five men, each of whom believes, or says he believes, that he will be nominated for Railroad Commissioner in the First district, are in Henderson to-night, working wires and digging, tooth and nail, for votes, from some 300 odd Democrats, delegates to the convention, which will be called to order here to-morrow afternoon. Each of these five men has friends who are doing all in their power to land him the nomination. Four of the five have been working here all day with headquarters in the Hotel Henderson. The fifth was not here until to-night, but he had friends who were acting in his place.

When Mott Ayres, chairman of the District Committee, calls the meeting to-order at 2 o'clock to-morrow afternoon, the final race will be on and one of the most interesting political conventions in Kentucky in several years will begin. When it will end is a problem. No candidate has enough instructed votes to win the nomination, and it seems, likewise, that no candidate has enough votes to organize without making a combination with some other candidate, and this will involve further complications.

No Coalition Effected.

Efforts to combine against Laurence Finn and prevent him from organizing the temporary control of the convention thus far have not been successful, although the leaders have been working hard all day to reach this end. Whether or not Bulk Gardner, Herman Southall, George W. Landram and McF. Ferguson, or some of them can effect a combination against the leading man in the race is the question which is to be solved between now and 2 o'clock to-morrow afternoon.

Joseph C. Clifton of Clark County, challenged by the defense, and William McGuire of Chain No. 1, challenged by the State, and the men of the old crowd who went down to-day, George Powell and Lou Scrivener were the two men who passed muster to-day.

Sixteen men were examined and excused for cause.

MUST GATHER IN ANOTHER VENIRE

JURY MATERIAL ABOUT EXHAUSTED AT BOISE.

SIXTEEN MEN EXAMINED AND EXCUSED FOR CAUSE.

ONLY NINE TALESMEAN LEFT.

Boise, Idaho, May 20.—It seems inevitable to combine against Laurence Finn and prevent him from organizing the temporary control of the convention thus far have not been successful, although the leaders have been working hard all day to reach this end. Whether or not Bulk Gardner, Herman Southall, George W. Landram and McF. Ferguson, or some of them can effect a combination against the leading man in the race is the question which is to be solved between now and 2 o'clock to-morrow afternoon.

As the Court of Appeals has once ruled on the instructions in this case, little or no argument is expected over the charge to the jury, in which Judge Parker will closely follow the ruling of the Court of Appeals.

Alex. Hargis Bitter.

Alex. Hargis was the best-known of several witnesses who appeared for the defense to-day. He is himself under a similar indictment to that against his brother, James, for the murder of Cockrill. He stated that he was in Mt. Sterling, where he had gone from Winchester, to buy a pair of mules, on the day Cockrill was shot. He denied any knowledge of any plot on the part of himself or his brother James to bring about Cockrill's assassination, and broke into a violent denunciation of the statements of Mrs. Felner as "damnable lies," when he was stopped by the court, with the injunction to confine his remarks to answering questions.

On cross-examination, he admitted that he contributed money for the defense of Jett and Britton, and also that he had signed the bonds of Smith and Abner, explaining the latter action on the ground that the prosecution was trying to ruin him and his brother by perjured testimony, and it was his duty to himself and brother to keep on friendly terms with Smith and Abner.

Robert Abner, Thomas and Lige Gay testified that they had seen John Abner near his home in Perry county, thirty miles from Jackson, on the day Cockrill was shot. This was to contradict the testimony of John Smith that he, Abner and Curt Jett had done the shooting. King Ford testified that he was with Judge Hargis upstairs in the Hargis store when the shooting occurred, and that both went to the window, but neither had a gun.

The examination wearied droves its way over the same old ground, although the defense has narrowed its range of questions. It asked nothing to-day about the Roosevelt letters and the Taft speeches, but devoted much attention to possible local prejudices and the existence of general prejudice against Socialists.

The Hopkins county delegation, while instructed for Southall, is composed of Finn's personal friends and supporters and the delegation may be found in the Finn column when the count is taken, the vote will go to Southall after the nominating speeches have been made. In Henderson county, Finn will have seven votes in the organization, although Southall will get the full vote for Commissioner.

The Hardin county delegation is a puzzle which no one seems to be able to solve. The delegation is unstructured, but nobody seems to know certainly how it stands. It is said that seven of them will be for Finn and will vote with him in the organization. Six others are others who are said to be for Finn and willing to vote for him in the organization of the convention.

Fight Hard To Organize.

By combining with Southall and Gardner or Southall and Landram, Ferguson would be able to organize the convention and would leave Finn out after the nominating speeches have been made. In Henderson county, Finn will have seven votes in the organization, although Southall will get the full vote for Commissioner.

HIT BETWEEN EYES BY LIGHTNING BOLT

SUCH STATED TO HAVE BEEN EXPERIENCE OF LAD IN LEXINGTON HOSPITAL.

Lexington, Ky., May 20.—[Special.] Claude Williams, the nine-year-old son of J. M. Williams, deputy sheriff of Powell county, has had the remarkable experience, it is stated, of being struck squarely between the eyes by a bolt of lightning and surviving to tell the tale. The boy was brought to St. Joseph's Hospital here to-day. The only serious injury he appears to have suffered is that his eyes are terribly swollen, and it is feared that he will lose his sight. His face is also badly burned.

Yesterday afternoon while the boy, with his sister and stepmother, were milking the cows at their home, near Stanton, a storm came up and they were hurrying through their task, when there came a vivid flash of lightning, and a bolt from it, it is said, struck the boy and knocked him senseless to the ground. He soon revived, however, and as soon as possible he was hurried to the train and brought to this city for treatment. The bolt is believed to have shot off its target to a wire fence a few feet away, and this is believed to have saved his life.

In any event, the race seems to be between Finn and Ferguson, although Southall is not out of the running entirely, and Gardner has not given up. Landram's friends do not look blue, either. It may simply develop into a general scramble and in the event of a deadlock a dark horse may win, although this is unlikely.

Before dawn it is believed a combination will be effected against Finn and that he will have to fight it out alone, with a fair chance of winning even then. Finn will be put in nomination by Thomas Thomas, of Bowling Green, and Southall will be put in nomination by J. T. Hanberry, of Hopkinsville.

Seething Mass of Men.

Preliminary work has been in progress here all day to-day and is still going on at midnight, with a seething

mass of men in the hotel corridors, where all interest now centers. The candidates and their friends have been getting their lines out and maneuvering for positions, ready for the break to-morrow. The delegates began coming in about noon to-day and since then every train has brought in large or small delegations, until the town is pretty well filled with delegates and others attracted by the political battle of to-morrow.

Southall, Gardner and Landram were here early this morning and Finn came in on the noon train. Ferguson remained in Louisville until the late train to-night. Each had his headquarters where the delegates were entertained and consultations were held. This afternoon it looked like a real, old-fashioned Democratic convention, with scores of well-known Democrats present. They came from all over Western Kentucky and it looked as though every leader in this section of the State was present. Everybody knew everybody else and the delegates spent the afternoon renewing old acquaintances and talking over old times, not troubling their heads much about the race to be run to-morrow. With the leaders, however, it was different.

Situation Much Mixed.

Five conventions have shown a worse mixed condition, especially as regards second instructions. Five candidates are in the race, the largest number of instructed votes being 148 for Finn and the smallest, thirty-three, for Gardner. Where these votes will go (Concluded on 2d Page, 4th Column)

HARGIS CASE NEARS CLOSE

Leader's Fate To Be In Jury's Hands To-Morrow.

Brother of Accused One of Last Witnesses.

Denies All Knowledge of Plot To Kill Cockrill.

BREAKS INTO DENUNCIATION.

Lexington, Ky., May 20.—[Special.] Testimony was closed this evening in the trial of James Hargis for the murder of James Cockrill, at Jackson, in 1902, and the instructions of the court will be given to-morrow morning, after which the arguments in the case will be begun.

There will be six speeches, three on each side. For the prosecution, Commonwealth's Attorney Allen and A. Floyd Byrd will speak, while Attorneys George Webb, George Hunt and E. P. Carrington, assistants to Schrugham, will be in court in charge of General Sessions on charge of violating that section of the penal code which makes it a crime to obstruct the due process of the law.

In a lengthy opinion Magistrate House says he believes the three defendants conspired to obstruct the due process of the law by changing ballots cast in the recent election for officers of the New York and Mutual Life Insurance Companies.

The defendants were paroled to appear before Magistrate House to-morrow to give bail.

SHUT OUT BECAUSE CHILD BECAME BLIND

TOOK YEAR TO PROVE CITIZENSHIP—WORRY CAUSES MOTHER'S SUICIDE ATTEMPT.

Paducah, Ky., May 20.—[Special.] Broken in health from being the victim of the immigration laws, Mrs. Louis Viviana attempted suicide this morning at her home, 697 North Fourth street, by shooting herself in the head. She may not recover.

About two years ago she went back to Italy for a visit with her children. When she attempted to return she was deported from New York on account of the blindness of one of the children. She was detained in Europe at least a year, before she succeeded in proving that the child was a native of America and therefore not subject to the immigration regulation as to diseased foreigners.

On account of the mental worry and privations she endured during her long separation from her husband, Mrs. Viviana has since been in frail health and subject to fits of melancholia. She is about thirty years of age and an unusually handsome woman. She has five small children.

Alex. Hargis Bitter.

Alex. Hargis was the best-known of several witnesses who appeared for the defense to-day. He is himself under a similar indictment to that against his brother, James, for the murder of Cockrill. He stated that he was in Mt. Sterling, where he had gone from Winchester, to buy a pair of mules, on the day Cockrill was shot. He denied any knowledge of any plot on the part of himself or his brother James to bring about Cockrill's assassination, and broke into a violent denunciation of the statements of Mrs. Felner as "damnable lies," when he was stopped by the court, with the injunction to confine his remarks to answering questions.

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Just what the people want in

Carpets Lewis'

and prices they want to pay
keep business humming at



DIAMOND MARKET
Buyers' Wants Lemon's Offer:
Brilliancy . . . Quality
Color . . . White
Shape . . . Perfect
Lowest Price . . . Guaranteed
JAMES K. LEMON & SON,
DIAMOND MERCHANTS,
511 Fourth Ave. Est. 1828.

BRYAN'S
Accordion Plaiting
and Button
BAZAAR.

We Make a Specialty of

PLAITED SKIRTS.

All the latest fancy designs in Kilted, Box, Space and Combination Plaits.

Buttons made from scraps to match your garments, all styles and sizes.

Mail orders solicited.

530 Fourth Avenue,

Louisville, Ky.

coming year on a \$350,000 basis. The convention finally adjourned to-night.

**DR. J. S. LYONS DELIVERS
IMPRESSIVE ADDRESS**

In Advocacy of Adoption of the
Charleston Agreement At
Birmingham.

Birmingham, Ala., May 20.—When the minority and majority reports were submitted to the Southern Presbyterian General Assembly on the adoption of the Charleston agreement it was agreed to allow each side two and one-half hours to present its case. After that the speeches on the subject were to be confined to five minutes each, until time for the assembly to take a vote on the subject.

The majority report of the committee favored the adoption of the articles. The speakers of the afternoon were the Rev. F. T. Glasgow, elder from the Lexington Presbyterian church, against the articles and the Rev. J. S. Lyons, of Louisville, in favor of the adoption. Dr. Egbert Smith, of Louisville, proposed the motion and was applauded and appointed to lead the opposition.

One of the most forcible and impressive statements of the afternoon was that of Mr. Lyons when he said: "I want to say frankly that in my judgment the chief value of the council which is provided for in the articles is not to be found in the opportunity which it offers for cultivating fraternal relations, or for adjusting occasional difficulties, but it is the service which it will render as a test of providence. If God is leading his church to organize upon such an opportunity for meeting eye to eye, as this council furnishes, will allow us to ascertain if and will make it easy for us to safely proceed. If, on the other hand, it is plain that God is not leading us, we will be in a position where we will suffer no compromise and from which we can recede without harm. The church should stand at attention before her great captain. If He calls upon us to hold our present position let nothing move us from it, but if His command is 'forward' I propose to try to obey."

To-night a meeting in the interest of colored evangelization was held and a stirring address was made by Judge W. C. Wells, of Jeffersonville, in which he treated the social problem at length. He said that within the next few decades a race war would astound the world unless the Bible and the grace of God intervened. Dr. Egbert Smith also made some significant remarks to the effect that the South is standing on the verge of a crater which is likely to break forth at any time.

The assembly adopted a resolution calling upon all Presbyterians ministers to preach one sermon each month to negroes.

CUMBERLAND ASSEMBLY

Decides Upon Corsicana, Tex., As
Next Place of Meeting.

Dickson, Tenn., May 20.—The general session of the Cumberland Presbyterian Church opened over a lot of business at this morning's session. Many of the thousand visitors here yesterday left for their homes on the morning train. The session commissioners unhampered to do their work.

The Board of Publication reported, recommending Sunday-schools throughout the bounds of the church to use the literature prepared by J. H. Zaree.

**The Liver is
seldom healthy**
while coffee is the daily drink.

Doctors recommend

POSTUM
"There's a Reason."

R. L. Baskette and J. S. Goodpasture, of Nashville. The statistical report of the state showed a total enrollment of three thousand, thirteen synods, 600 ministers and 80,000 residents. Reports of committees on minutes of synods were read and filed.

The report of the Board of Education was read and considered as a special order at 10 o'clock. The report reviewed the history of the board. Several recommendations were made. One strongly urged that the board act for probationary teachers.

The board made a strong appeal for more ministers. Dr. Johnson and Dr. H. C. Yates, of Missouri, made rallying addresses.

At the close of the afternoon's session were the selection of Corsicana, Texas, as the next place of meeting and an address by R. D. Hamil, superintendent of Negro Sunday Schools. Dr. Hamil said that while he did not come officially from his church, he was sure that he voiced the sentiment of a large number when he expressed hearty sympathy for the Cumberlandians in this opposition to organic union.

ROOSEVELT, "IL STRENUOSO."

The Jarring of the Russian Mind When Peace Game At Ports-mouth.

The following is from "As The Hague Oaths," the Journal of a Young Pioneer's Trip to Japan, just published in America by Henry Holt & Co. This excerpt tells of the news of the peace of Portsmouth as received in a Japanese prison camp, when the Russian soldiers and officers were held:

Surprise took upon surprise—San-diego's hero the American Roosevelt, has entered and asked to see me. He came to name his commissioners and send if they cannot agree to make peace.

In my first gape of astonishment, as the cook burst excitedly into our quarters, who little I knew about crying.

Peace! The American Emperor says: "Stop fighting! Stop fighting!" In the first moment of shock I could hardly speak and open my feet. God never so much as sent me anything pleasant coming by Gogol has hitherto been so unknown, that I quite lost my head for the moment.

We clicked glasses and drank to the white angel of peace per se, and to the American Roosevelt, who has forced the situation upon the commissioners. We sat in the dark, bubbles and the Vladmir whirled his glass overhead, with the fire and gaiety of youth, and tossed it out on the garden stones—I threw mine, also, and frantically embraced him.

Vladimir calls all the saints to witness that there never was such peace waiting.

Peace of the Twentieth century! Peace as she is hammered out at the American Cross-tie!

All the traditions are broken with Japan and Russia have not

had peace—not wanted it, no!

That terrible American President, it strenuous, he has made it. He wanted it, he worked for it. And now he finds himself in the position of locking the conference in a room and starving them to obedience.

No gentle peace was that at Portsmouth. Shades of Paul Lessar! Could you imagine us at set table? What a dinner to eat here! And now comes this astonishing history they have just made in America! What a fierce "iron wrist" is yours, compared with this chilled steel, covert of this

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Peace of the new diplomacy! Peace of the Twentieth century! Peace as she is hammered out at the American Cross-tie!

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No gentle peace was that at Portsmouth. Shades of Paul Lessar! Could you imagine us at set table? What a dinner to eat here! And now comes this astonishing history they have just made in America! What a fierce "iron wrist" is yours, compared with this chilled steel, covert of this

moment. Vladmir calls all the saints to witness that there never was such peace waiting.

Peace of the Twentieth

DEATH CLAIMS JUDGE McCANN

Head of Police Court Succumbs To Illness.

Prominent Figure In Local Politics For Years.

Rose From Office of Constable To Bench.

THE FUNERAL TO-MORROW.

Judge John McCann, Judge of the Police Court of Louisville, died of a complication of diseases at 3:10 o'clock yesterday afternoon at his home, 1134 Sixth street, after an illness of many months. For several days the death of Judge McCann had been expected at any time, and when the end came both Mrs. McCann and their only daughter, Miss Ada McCann, both of whom have been in attendance constantly since Judge McCann's illness were at his side.

As soon as the death of Judge McCann was known at the City Hall, Mayor Barth ordered the flag over the building lowered to half-mast and throughout the building many office doors were draped in mourning. This morning at the session of Police Court the local Bar Association will pass resolutions.

Judge McCann had been under a physician's care for almost a year, and although everything possible to cure him and prolong his life was done, nothing seemed to be of any benefit. Early last autumn the Judge left the Police Court bench on frequent occasions to take short rests, and on January 19 he presided at the session of court for the last time. A few weeks later he was ordered to Florida for a prolonged stay and returned at Easter apparently much improved.

Bedfast Many Weeks.

His return to this city was at an unfortunate time, however, and almost immediately after his homecoming miserable winter weather kept him confined at his home. So bad was the weather that his physician ordered him not to leave the house. In a short time he began to grow weaker and weaker.

For many weeks past he has been bedfast, but not until about two weeks ago were there indications that he would not recover. Since that time, though, his death has been almost minutely expected.

During his illness friends of Judge McCann were most anxious about his condition, and each day there were scores of inquiries. Since it was known that he could not live and since his death yesterday afternoon hundreds of friends have expressed their grief and sympathy for Mrs. McCann and Miss McCann. Last night a large number of Judge McCann's more intimate friends were at the home.

Funeral To-morrow Morning.

The funeral services will be held at 9:30 o'clock to-morrow morning at the residence and at 10 o'clock at St. Louis Bertrand church. Burial will be in St. Louis cemetery. Pallbearers will be selected to-day and from among Judge McCann's more intimate friends.

The death of Judge McCann brings to an end a very remarkable career. If there was ever a self-made man he was one. For the past thirty-seven years he has been in public office constantly and his political record was without a single blemish.

Native of Louisville.

Judge McCann was born June 27, 1848, and is the son of James McCann, who lived at Ninth and Walnut streets. James McCann was for several years engaged in the grocery business, but never accumulated any of the world's goods to amount to anything, and his son, John, was forced to earn a living and for a time early in life. Judge McCann received his education in Catholic parochial and public schools of Louisville. His first work was in a foundry, but finding this was too hard for him, with poor remuneration, he secured a position on one of the Ohio river steamers, where he continued for three years.

After leaving the river, Judge McCann entered into the foundry and worked for Granger & Co., former Mayor Charles F. Granger's father then being at the head of the firm. He became a favorite with the elder Granger and was one of his most trusted employees. After two years and a half he was promoted to manager of the foundry.

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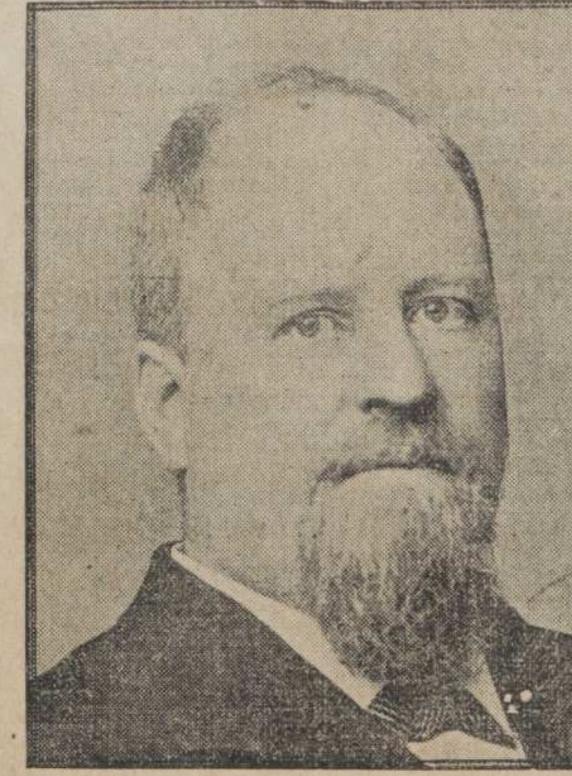
Former State Senator.

Judge McCann was elected Constable in 1871. He served in that capacity for four years and was elected Magistrate the first time in 1875. He was re-elected Magistrate several times. In 1887 he was elected to the State Senate from Louisville and served for four years. He was re-elected in 1891, but because the office of Magistrate and that of Senator could not be held simultaneously under the new Constitution. In those days the office of Magistrate brought to the holder a hand-some sum in the shape of fees and for that reason Judge McCann preferred to serve his term in the Legislature rather than give up the office of Magistrate.

Judge McCann continued to hold the office of Magistrate until 1901, when he was elected to the office of Police Court Justice. He was re-elected to that office in 1905. In the capacity of Police Judge, where he had to deal with all classes of people the good side of Judge McCann was often in evidence.

Magistrate's Office Popular.

It was a magistrate that Judge McCann was best known to the people of Louisville. In that capacity he had much to do with the handling of the affairs of Jefferson county and in the advancement of the city. He took a great interest in the advancement of Louisville and Jefferson county and was always found on the side of progress. His office as Magistrate of Jefferson and Green, was known for many years. During times when busi-



JUDGE JOHN McCANN.

NOTED WOMAN.

Mrs. Sallie Ewing Pope Called By Death.

HER ANCESTORS ON BOTH SIDES FOUGHT IN REVOLUTION.

IN YOUNGER DAYS WAS PROMINENT IN SOCIETY.

SOME TOBACCO FACTS.

[Houston Post.] It takes 6,000,000 acres to grow the world's tobacco.

It takes the reputation of manufacturing some of the strongest smokes equally; the weed that smolders up one side is of inferior quality.

The largest cigars come from the Philippine Islands, some of them being eighteen inches in length.

A good cigar will burn slowly and evenly; the weed that smolders up one side is of inferior quality.

The ancestors of Mrs. Pope on both her paternal and maternal side were illustrous in revolutionary times. She was the daughter of Dr. Urban E. Ewing, born in October, 1811. She is a native of New Haven, Ky., having removed to Louisville some years ago, passing through his wife, Judge McCann leaves one daughter, Miss Ada McCann, who was a native of Louisville and Nashville railroad, is a brother of Judge McCann, and she is also survived by two sisters, Mrs. Etta Cronan and Mrs. Lewis Jacob, of this city.

She was not rushing Judge McCann's offer to be friendly to the scene of friendly chats among business and professional men of the city.

Personally, Judge McCann and Mrs. Pope had many mutual friends. The needy never went away from him empty-handed if he had anything at all with which to relieve their wants. Judge McCann always gave his time to the charitable institutions of the city and was always a contributor to their support.

Judge McCann was known at the City Hall, Mayor Barth ordered the flag over the building lowered to half-mast and throughout the building many office doors were draped in mourning. This morning at the session of Police Court the local Bar Association will pass resolutions.

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**Has a
Woman any Interest
in Life Insurance?**

Let the woman say. For her needs it was devised, for her protection it is carried. It extends the marriage promise to protect and cherish beyond the lifetime of him who promised. Thousands of women live happier and sleep better because those on whom they depend have been thoughtful enough and good enough to insure in

**The Mutual
Life Insurance
Company**

The woman who is the beneficiary of such a policy should take pride and comfort in it, watching that nothing deprives her of it. The woman who has no such protection should endeavor at the first possible moment to place between herself and the hour of need and darkness the obligation of the largest and steadiest life insurance company in the world.

The Time to Act is NOW.

For the new forms of policies consult our nearest agent, or write direct to

**The Mutual Life Insurance Company
of New York,
N. Y.**

TWISTED LEAF.

**Burley Tobacco Men Want To
Make It Themselves.**

**LEBUS WANTS FARMERS AND
TRUST TO FIGHT IT OUT.**

**UNCLE SAM'S WOMAN DIPLOMAT
TO GO TO THE HAGUE.**

PROTEST AGAINST A NEGRO.

Washington, May 20.—[Special.]—Representative Gaines of Tennessee, who recently wrote to Clarence Lebus of Cynthiana, president of the Burley Tobacco Society, going fully into the efforts of the Kentucky and Tennessee members to secure legislation which would relieve the tobacco growers, and explaining how this legislation was defeated through the opposition of the Tobacco Trust, has received a reply from Mr. Lebus telling of the society which he heads.

"Whether the trust owns an interest in independent factories cuts but mighty little ice with us," writes Mr. Lebus. "For," he adds, "the independent factories at the present time have factor so little of our Burley tobacco that we can't afford to let them in where we have comparatively no competition at all, and it is left up to us to protect ourselves. Of course, anything that you or the Government can do toward assisting us directly in this great fight will be appreciated, but I fear that you will not be able, or that the Government will not be able, to arrange matters in such a way that it can help us either directly or indirectly."

Right To Twist Leaf.

"Of course, if they could or would pass a law allowing us to twist our own tobacco, it would certainly aid many of us a great deal. If they can not or will not grant us the right to twist our own tobacco, as they do everything else under the sun, so long as it is not manufactured or compounded, then in that event it would be best, in my judgment, to give the trust and the honest Kentucky farmer a right to settle their own differences."

Was for Bryan.

It is now definitely ascertained that Gov. Warfield, of Maryland, supported Mr. Bryan in 1896 and 1900. Gov. Warfield, however, was a gold man and against free silver, but declared that his views should not conflict with those of his party in convention assembled, and that he would therefore stand by the

HINK!

Think of the number of typewriters that seemed popular a few years ago.

Think of the different ones seeking public favor to-day.

Then think of the Remington, which has been the standard since typewriters were invented, and which maintains its supremacy solely through enduring merit.

The man who seeks experience may seek it anywhere, but the man who needs experience buys the

Remington

Have you tried the new Remington escape? It will be a revelation to you of the latest and best in typewriter achievement.

**Remington Typewriter Company
(Incorporated)**
246 4th ave., Louisville, Ky.

**DR. MURPHY'S
TRIAL TO-DAY**

Judge Pryor Refuses Any Further Continuance.

State Wants Witness Beyond Reach In Indiana.

Attorneys In Case In Warm Controversy.

JURORS DRAWN YESTERDAY.

Having heard a variety of affidavits and given ear at length to the wrangling of counsel, Judge Pryor in the Criminal Court yesterday determined to force the Commonwealth into the trial of the case of Dr. Sarah A. Murphy, charged with the murder of Katie Bryant by the attempted performance of a criminal abortion. This ruling had the effect of reducing to the vanishing point all hope of the Commonwealth to secure a conviction, because it makes improbable the production of Mamie English Dawson, the colored woman who is alleged to have been the prosecution's only eyewitness and places entire dependence upon the circumstantial evidence of the physicians and others heard in the Police Court.

The Dawson woman was in the employ of Dr. Murphy at the time she attempted abortion the defendant is said to have committed. Her name was Mamie English at the time, but since the trouble came up she married Essex Dawson, a negro, who for years had been a servant of Dr. Murphy, and they make their home in New Albany, which being out of the State, makes it impossible to bring her before the court by process. For some mysterious reason she steadfastly refuses to come to this side of the river or to appear in court to testify in the case.

Selection of a jury was then begun. The Commonwealth demanded a statutory panel. Thirty-one veniremen were excused for cause, nearly all of them having formed or expressed an opinion as to the guilt or innocence of the accused.

The following jury was secured: George B. Nash, B. Diamond, J. Brady, John Lyon, Arthur J. Flanagan, J. E. Zeller, John Brown, Albert Sparks, J. G. Fenster, Thomas Gowans, Ed Kassenbrook, Henry Gottwalt.

After the selection of the jury the plaintiff received in being struck by an automobile of the defendant, a verdict was given, the defendant in Judge O'Doherty's court.

John Kelder sued the Louisville Railway Company for \$30.00. The plaintiff, who was riding in a trolley car, and his right leg so badly crushed as to make amputation necessary.

In the case of Peter Stalter against P. G. Gandy, Plaintiff, it is injurious to the plaintiff received in being struck by an automobile of the defendant, a verdict was given, the defendant in Judge O'Doherty's court.

Court of Appeals Decisions.

Louisville and Nashville R. R. Co. vs. Wilbur W. Paynter's Adm'r.—Filed May 2, 1907.—To be reported. Appeal from Larue Circuit Court. Opinion of the court by Carroll, Commissioner, reversing.

First—New Trial—Fraud—Unavoidable Casualty—Limitation.—There is no provision for avoidance of liability within which an application for which a new trial must be made under Section 65 for fraud practiced on the part of the plaintiff, but such a limitation is not sufficient, but such application is not barred by limitation if made within five years from the date of the judgment sought to be vacated.

Second—Agreement Between Counsel—Waiver.—Where a party waives his rights by opposing counsel and is violated by one of them to the prejudice of the other, it would be mere fraud to allow the party to proceed in gross.

Third—Fraud—Establishing Burden of Proof.—The burden of establishing a fraud is upon the person who says he was defrauded, and he who says he was not defrauded by the party who is the victim of the fraud.

Fourth—Contract—Fraud—Burden of Proof.—The burden of establishing a fraud is upon the person who says he was defrauded, and he who says he was not defrauded by the party who is the victim of the fraud.

Fifth—Contract—Fraud—Burden of Proof.—The burden of establishing a fraud is upon the person who says he was defrauded, and he who says he was not defrauded by the party who is the victim of the fraud.

Sixth—Fraud—Establishing Burden of Proof.—The burden of establishing a fraud is upon the person who says he was defrauded, and he who says he was not defrauded by the party who is the victim of the fraud.

Seventh—Fraud—Establishing Burden of Proof.—The burden of establishing a fraud is upon the person who says he was defrauded, and he who says he was not defrauded by the party who is the victim of the fraud.

Eighth—Fraud—Establishing Burden of Proof.—The burden of establishing a fraud is upon the person who says he was defrauded, and he who says he was not defrauded by the party who is the victim of the fraud.

Ninth—Fraud—Establishing Burden of Proof.—The burden of establishing a fraud is upon the person who says he was defrauded, and he who says he was not defrauded by the party who is the victim of the fraud.

Tenth—Fraud—Establishing Burden of Proof.—The burden of establishing a fraud is upon the person who says he was defrauded, and he who says he was not defrauded by the party who is the victim of the fraud.

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TWELVE PAGES.

TUESDAY, MAY 21, 1907

Business.

Monday Evening, May 20.—The New York stock market had a soft tone throughout and final prices showed substantial net losses.

Money on call was steady at 2% to 2½ per cent, ruling at 2½. Time funds were down and 3½ to 4 per cent.

Sterling exchange was strong.

The Chicago wheat market was very nervous, prices fluctuating over a range of 6 to 6½ cents. The July option closed at a net gain of 1½c. Corn was ½c higher and oats were up ¼c.

The cotton market opened steady at unchanged prices to an advance of 2 points and after a slight dip, closed at 19 ½ points, forced down 17 to 19 by selling pressure.

The Chicago cattle market was strong to 10c higher. The hog and sheep markets were steady.

A Southern Trend.

While there is much immigration to the South from foreign countries there is yet a steady accession to the population of that section of the Union from the Northern States which is very considerable in the aggregate.

From the older States of the West and Northwest, Texas, Arkansas and Oklahoma are receiving a large number of substantial, practical agriculturists, while Louisiana and Mississippi are profiting by a similar class of immigrants from other portions of the North. The success of those of this class who in previous years have made their homes in the South and engaged in the raising of cotton and other products peculiar to these States, has demonstrated the fact that intelligent white labor raises better crops of cotton than the shiftless negro, and does not suffer in health from the change of climate, as when the country was newly settled.

Another field for profitable labor of this class of newcomers is in the raising of early vegetables for the Northern markets, in which the Southwestern States are developing similar success to Georgia, Florida and other States of the South of larger experience.

The New Orleans papers make note of still another source of increase in the Southern population by accessions from the North. A few days ago, says one of them, "a carload of tots ranging between the ages of two and seven years old pulled into the station a short while after 8 o'clock and one hour afterward twenty-two of the number were tucked snugly away in their newly-found homes. The little waifs are from the New York Foundling and Orphan Asylum." The number brought on this train was sixty, all of whom had been previously bespooken and were delivered to persons who had agreed to rear them in their families. The agent in charge stated that 177 such children had found peace and happiness in new homes throughout the South, and that he had received orders for 100 more to be delivered at early dates. These are what may be called seed corn of the future population. It is an old saying in the South, much in vogue before the Civil War, that if you wish to get good citizens from the North catch them young.

Standard Oil Abuses.

It cannot be said that the report of Mr. H. K. Smith, Commissioner of Corporations, adds a great deal to our knowledge of the practices of the Standard Oil Company. The chief advantage of it is that it places in official form, with the evidence upon which they are based, the charges which have long been made against the great combination.

It officially appears that the Standard Oil Company laid the foundation of its great power by the monopolization of transportation facilities. For years it took open rebates from the railroads. When forced by public opinion and the law to abandon this open abuse, it contrived to do the same thing by indirection, by the various devices that have been often detailed. It continues a monopoly in its pipe lines, and this has also been decided to be contrary to law.

It is an advantage beyond question to have an official document which shows the bad effects of devices to head off

competition. The general application of this principle cannot be expected right away, but when it is admitted that we must have competition in business, a decided advance has been made. If this idea can be applied to the Standard Oil Company there is some hope of striking down other trusts.

No Commission For France.

It has been decided at Washington, as the dispatches advise us, that no commission of tariff experts shall visit France for the purpose of agreeing to measures that will improve our trade with that country. Such a committee visited Germany last year, but the conditions are different.

The commission was sent to Germany to arrange the basis for a treaty. That had already been done with France. A commercial treaty was negotiated years ago, and the Senate of the United States contemptuously disregarded it. There is no perceptible, therefore, no useful purpose that could be served by sending a similar commission to France.

It might be going too far to say that no useful purpose was served by the experts that went to Germany. The arrangement upon which they agreed with the German Government has received the approbation of the Reichstag, and it postpones for another year the imposition of maximum rates on our exports that are sent to Germany. This is an advantage, as far as it goes, but it is only temporary. It was distinctly said in the debates in the Reichstag that the arrangement was agreed to solely in order to give the Government time to make good its promise of maximum rates on our exports that are sent to Germany. This is an advantage, as far as it goes, but it is only temporary. It was distinctly said in the debates in the Reichstag that the arrangement was agreed to solely in order to give the Government time to make good its promise of maximum rates on our exports that are sent to Germany. This is an advantage, as far as it goes, but it is only temporary. 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LIGHTS OUT BEATS KILLDOE OVER JUMPS

Lochgoil Falls and Breaks His Leg In Feature Race and Is Destroyed.

MANY SURPRISES AT CHURCHILL DOWNS

Bendigo Comes To Life and Defeats Good Platers.

FUNICULAIRE LEFT AT POST.

JOCKEY AUSTIN GETS HAYES' GELDING UP IN TIME TO SNATCH PLACE MONEY.

LEE IS ON THREE WINNERS.

TO-DAY'S SELECTIONS.

First Race—Waldorf Belle, Drop Stitch, Ada O. Walker.
Second Race—Request, Louise Macfarlan, Tremolo.
Third Race—Sharp Point, Bayou Lark, Black Sheep.
Fourth Race—Cablegram, Hannibal Bay, Piping.
Fifth Race—Potter, Marmorean, Kalsperhoff.
Sixth Race—High Bear, Harold D., Delestromo.
Two Best Bets—Cablegram, Potter.

LIGHTS OUT won the feature race, a steepchase handicap, over the short course, at Churchill Downs yesterday afternoon before a large crowd. Killdoe finished second and Naran third. Lochgoil, an aged gelding, belonging to J. H. Baker, fell over the clubhouse jump in this race and broke his leg in three places. He was destroyed after the crowd left the stand. Jockey Allen, who had the mount, was not injured.

It was a day of surprises at Churchill Downs, and not a decided favorite caught the eyes of the judges first. Stone Street, at a long price, captured the opening race, while Royal River, another long shot, took the second. Geneva S., also at a good price, ran first in the third, and Weberfields, the favorite in the jumping race, failed to show. Frontenac captured the fifth race and Bendigo came to life long enough to win the closing event.

Frontenac was played for thousands of dollars in the fifth race. The Hayes gelding was backed from \$1 to \$1 to 1 and was practically left at the post. Austin, however, put up a masterly ride. He was many lengths behind the leaders over in the back stretch, but gradually overhauled his field, picking up the other starters one by one and finishing second. If Funiculaire had been away with the others he would have won and the ring would have received a severe jolt. Redwood II, in the last race, was also heavily supported, but he refused to break and was left flatfooted, giving his backers no hope for their money.

By all of this it can be easily understood that the bookmakers got most of the money yesterday. The day was clear and pleasant, but the track was rather slow.

Jockey Lee Takes Opener.

Stone Street won the opening event in a hard drive from Budge Work and Buck Brigade. Merrified broke first to a fair start, but dropped back into the bunch and Budge Work took up the running, showed the way to the top of the stretch, where J. Lee, on Stone Street, took command without difficulty. The half-length. Bucket Brigade was the runner up, but weakened under punishment in the last sixteenth, but had no trouble in landing the show money a length and a half in front of Orlando. Sabado, the favorite, was not favored by the start and finished a poor seventh.

Frontenac, the heavily played odds-on favorite in the second race, shattered the hopes of the talent by finishing a poor fifth. Royal River, a despoiled outsider in the speculation, was returned the winner. It was a close and exciting finish, the first three finishing noses apart. Naran moved up, and the trio fought it out to the wire in a spirited drive in the stretch. Warner Griswell, the favorite, was outrun all the way.

Good Things Go Wrong.

The third race on the card, a half-mile dash for two-year-old fillies, was won by Schreiber's Sain filly, Geneva S., which was quoted at 11 to 2 in the specification. The colt was well worth the early bet by Mr. Dietl, as he is well bred and gives promise of landing a number of good races.

Funiculaire was practically left at the post and ran a winning race. It looked as if Austin was caught napping, as he was back of the bunch when the barrier opened. The horse, however, took the Hayes' gelding while home alone, as he was pounds less on his back than in his last race.

Javanes was claimed out of the second race, and the yearling mare, owned by Mr. Dietl, as he is well bred and gives promise of landing a number of good races.

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The followers of Bendigo cleaned up handsomely in the sixth race, the Baker brigade being backed from 7 to 2 to 30 at post time, but neither of these was fortunate enough to get within the pale of the numbers. Brown, on the winner, took the Sain filly and several others. The horse, however, ran fastest, raised Katherine Murphy into second position, secured the verdict by a half length. Waldorf Belle came from a rear position and beat Lattice by a head for third honors.

The steeplechase handicap over the short course, fourth on the program, was the chief attraction on the card. Weberfields, the public choice, was passed over, and the chief gelling was unable to make good. McClure, on the son of Troubadour, showed the way for the first half of the journey and then dropped hopelessly out of contention and was trailing his field at the wire. Lights Out avoided the early pace, came in in the last round and had to be driven to stall off the rush of Killdoe, which was coming fast in the stretch. Naran was third, twelve lengths in advance of the balance of the field. Lochgoil fell at the sixth obstacle and broke his leg.

Tough Luck For Tom Hayes.

Frontenac won the fifth race from Fun- culaire and Orlando. The race was replete with good things which made the speculation lively. Funiculaire, belong-

days by Starter Holtman for disobedience at the post. ***

William Gerst's seven jumpers, among them Esteroy, Full of Fun, Weberfields and Manners, will be shipped to Toronto to-day. Jockey McClure will do the riding. Esteroy is entered at Toronto in two stakes. ***

Col. Billy Boardman was heard to make a statement yesterday afternoon which proves more than any other fact the steady decline in popularity in the racing scenes in this city. Col. Boardman is well known, is in charge of all the privileges and concessions at Churchill Downs besides being one of the directors of the New Louisville Jockey Club. He was heard talking to a friend yesterday, and said:

"It is remarkable how the people are spending money out here. I have been around Churchill Downs for many years, but we are not paying better money than ever before. What they are more people this spring who buy extra tickets than attending them to the clubhouse privileges than ever before. That everybody who has money wants a clubhouse badge. The bar is paying handsomely and the business is increasing all the time. The judges can attend to. Racing is certainly becoming more popular, but there is more money in the racing scenes at present than I have seen in a long time."

Jockey Lee rode very bad race on Warner Griswell in the second event, even though he piloted three winners first past the judges. From the stand it looked like Warner Griswell should have won easily to people who did not bet a cent on him, but was three times third.

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It was a little cool, but this did not keep the attendance down. A very large crowd was out yesterday.

Jockey Tomy Doyle, the well-known retired rider, arrived in town yesterday from Chicago and was seen in the betting ring making things hum. He thought King, in the third event was a cinch, and he was right. He easily secured the place by a length and a half from Tinker. The latter had to be hard ridden to get the show money a head in advance of Re-

turns. ***

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BROOKLYN HANDICAP WON BY THREE-YEAR-OLD

James R. Keene's Superman Beats Good Field In \$20,000 Eastern Classic.

TOM HAYES' BEACON LIGHT RUNS SECOND.

Miller Holds Winner Back Until Well Into Stretch.

FAVORITES HANG IN TRACKS.

JACK ATKIN DEFEATS VOORHEES, GENTIAN AND OTHERS IN OPENING EVENT.

GREAT CROWD SEES RACES.

N EW YORK, May 20.—Through sanded lines of cheering thousands, Superman, the sturdy three-year-old son of the great Commando, carrying the colors of James R. Keene, and ridden by Jockey Miller, flashed under the wire the winner of the Brooklyn Handicap this afternoon over a course treacherous deep in mud, at the Gravesend track.

Twenty-five thousand persons saw the mud-splashed Keene horse held back until the stretch and then sent out in front to win in decisive fashion from a field of eleven starters. Beacon Light, ridden by Jockey Lowe, was second, a length behind Superman, and Nealon, carrying the colors of C. E. Durnell, was third. Super-man covered the course of a mile and a quarter in 2:39.

Brooklyn Handicap day brought out a great crowd to see the running of the classic. The grandstands clubhouse and lawns were crowded with eager spectators. An all-night downpour of rain flooded the track and here and there sheets of water flashed in the sunlight. Six horses were scratched because of the heavy going, while Okonite and Good Luck were added starters, their owners believing they had a chance in the firy racing lane for the \$20,000 purse.

At the starting line the horses fratted and pranced, and at the drop of the flag Superman shot out in front, followed by Okonite and Go Between and a flying field in the mud and mire. Not wishing to set the pace in the heavy going, Miller held Superman in check, and Okonite, rushing up, took the lead at the quarter, with Superman, running in steady, even stride, close behind, and Beacon Light a short distance away. Butting and Go Between, the strong favorites of the race, hung in their tracks and fought it out with the others. Okonite was first at the half, with Superman surrendering the

*Apprentice allowance.
TALENT HAS A GOOD DAY.

N edda, At 13 To 1, Proves the Surprise of the Day At Oakland.

San Francisco Journal.—The fields went to the 13-to-1 odds at Oakland and interesting sport resulted. Well-played horses were generally successful. Nedda, a 13-to-1 chance, proved a surprise by taking the second race. Summary: First Race—Four and one-half furlongs; winning: Albion H., 12 Sandy, 4 to 1.

Second race—Five furlongs; two-year-olds;

winning: Belle Griffin, .122 Astoria Belle, .109 Waterfowl, .102 Helen Green, .102 Prevality, .102 Susanna, .102

Time: 1:24.5. Second race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Third race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Fourth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Fifth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Sixth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Seventh race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Eighth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Ninth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Tenth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Eleventh race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Twelfth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Thirteenth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Fourteenth race—Five furlongs;

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Fifteenth race—Five furlongs;

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Sixteenth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Seventeenth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Eighteenth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Nineteenth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Twentieth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Twenty-first race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Twenty-second race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Twenty-third race—Five furlongs;

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winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Twenty-eighth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Twenty-ninth race—Five furlongs;

winning: Beacon Light, .109 (W. Dugan), 4 to 1.

Thirty-first race—Five furlongs;

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Thirty-second race—Five furlongs;

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Forty-first race—Five furlongs;

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Successful Contestants IN THE Courier-Journal's Beauty Quest

Will be named and their pictures
printed in the Courier-Journal of

NEXT SUNDAY
MAY 26.

Everybody will want to see the pictures of the three most beautiful women in Kentucky. Send your order for the Sunday Courier-Journal of May 26 to your agent or this office TO-DAY. Price 5 cents, by carrier, agent or mail.

The Courier-Journal of this Sunday, and every Sunday, is the best, brightest and cleanest paper published anywhere. Why not read it all the time and be satisfied? Delivered by carrier, agent or mail—5 cents each issue.

The Sunday Magazine

That is a part of the Sunday Courier-Journal
is the equal of any ten-cent magazine published

ELLEN TERRY, ENGLAND'S GREAT ACTRESS, MARRIED AT SIXTY.

(Denver News.)

And Ellen Terry is married again!

Well, well, well, all right?

Because she's nearly sixty? All the more sin to wait. Because the gentle man in the case is only thirty-odd?

That's his lookout. If he wanted to marry Ellen Terry, it was up to him to be born in time to do it right; and if he failed in this, we can at least admire the tenacity with which he has

been tried by critics who know a deal more about them than I ever shall.

But one knows what one sees; and one of the surprises nights of my life is the way Ellen Terry looks when she's forty or more at the back of the old Illinois Theater to see and hear Irving and Portia.

She's come back from her Venetian

trip to mystify poor Bassanio, any man

would propose to her. He couldn't help it.

She was born back in 1847, the history

books say just in time for the California gold rush. Only she didn't make the rush. Family reasons stood in the way. She had a father, and he was an actor. Also, she had another, and the mother was an actress.

They live in Edinburgh where folks used to listen to two-hour sermons, and where the playing business was very much looked down upon. So the sisters, after being told on the stage, then combed the world all over the stage to keep the old folks in countenance, and to educate the stout Scotchmen to an appreciation of art. Ellen's first appearance was as Mammillius in the "Winter's Tale," of the number of Shakespeare plays that you seldom see any more. Of course, she did it well. Did you ever hear of a star whose first appearance did not give evidence to its disappearance? These I still always remember. Indeed, they show with them will be kept green the memory of the compliment boy, who was going to teach them enough to know how to "deal" with such things.

But it was long before the court room scene that I noticed one of those theological students.

Now, asking questions is a

very proper and useful way of putting

in one's spare time, but these questions were rather queer. Pretty soon he turned to me and inquired about something that I had said, and two things ought to know. I answered him, and then asked if he were not familiar with the play. No, he had never read it. Had never seen any of Shakespeare, in fact, hadn't read time. No, he had never been to a theater before. He was studying for the ministry. But, an awkward pause, and then: "I think a minister is the person that the gods ought to fit the crime." The comparison was made between the Juvenile Fort-Folio and the Juvenile Port-Folio.

The publication of the magazine began on October 27, 1812, and continued

every week until a break until No.

1813, when it was

exceeded by other editors in more

prosperous times. The full title was

"The Juvenile Fort-Folio and Literary Miscellany."

It was dedicated "to the instruction and amusement of youth" and cost twelve and one-half cents a month.

The editor announced in the first

number that the close of the year a

title page and index would be published

together with a full list of the subscribers.

He carried out his promise, for

the whole four volumes are indexed,

and the title page lists 1,000 names.

Among them was that of Doug-

las, then Secretary of the Treasury.

The subscription list had nearly doubled before the last volume was completed, and the magazine had been a success financially. Estimating

on a basis of a population of 10,000 that

there were 7,000 families in Philadelphia

at the time, Condé must have had a

a subscriber in every one of even

homes in the city.

The editor had a house-to-house canvass

made for active young people

to solicit subscribers for the Juvenile Folio.

Philadelphia magazines of the

present day employ the same means for

securing subscribers.

Young Condé's paper consisted of

four pages 8½ by 5½ inches, with two

columns to the page. His opening edi-

torial, addressed "To the Juvenile Pub-

lic," spoke of his hopes and intentions in this way:

The title to address the public when

a periodical work is first offered for

patronage is established by custom;

it could be a break in the general usage

of the public now demands as a right

what it formerly deserved as a courtesy;

and the public, in this case, will be

more than willing to give it.

It is only fair to add that one of

the other theological students turned

and gave me a look and a soulful wink.

Condé, we explained, was plotting

the play, and helped him over the rough places. I suppose he was away

feeling embattled with righteousness

and protected in the arms of deep

dangerous experience. But when

Ellen Terry's name is mentioned,

it is not only of her superb portia,

but of Irving's Shylock, too great for words.

These I still always remember.

Indeed, the public with whom

they will be kept green the memory of the

complacent boy, who was going to

learn how to "deal" with such things.

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BALANCING HIS BOOKS.

SECRETARY TELFORD SAYS SPRING BUSINESS WAS GOOD.

Traveling Salesmen Now Scouring Extreme South For Fall Orders—Prospects Excellent.

The members of the Merchants and Manufacturers' Association are well pleased with the business done in spring trade through the system of bringing Kentucky merchants to the city. Tickets were furnished merchandise to 100 men to Louisville, March and April. The season closed a few days ago and John J. Telford, secretary of the association, is now engaged in balancing his books. He said yesterday that he could form no idea as yet as to the actual business done, but he was confident that it would never last year and would be even in his report.

Traveling salesmen are now in the South with fall samples, and the wholesale merchants are confident that a good fall trade is in sight. Heavy purchases have been made by all classes of merchants. The business of furnishing transportation to men who travel to the South has not yet opened up again. August 1 and continue through October. A leading wholesale merchant said yesterday that he expected more than 100 men to travel to Louisville this fall than ever before in the city during the autumn season. Said he: "All our men have been sent to favorable points from a business viewpoint for a spendid trade this fall and winter. All things will adjust themselves and the purchasing public will be in shape for a big trade. The merchants in the extreme South are the ones who are getting the fact that it takes them longer to get their goods in after making purchases. Louisville is a great market and we are getting into new territory every month in the year. Freight rates are being more advanced and the rebate system having been done away with gives our merchants a far better chance. I am proud to say they are taking advantage of all opportunities and are spreading out."

NEVER AGAIN

WILL MISS FERRELL "MONKEY WITH A REVOLVER."

Tells How She Happened To Shoot Mrs. Sallie French In The Eye Sunday.

Her eyes red from much crying, Miss Edna Ferrell of 202 Eighth street, yesterday afternoon told of how she had accidentally shot Mrs. Sallie French on Sunday afternoon at the home of Arthur Alvey, a brother of Mrs. French and a brother-in-law of Miss Ferrell. Miss Ferrell ended her story with:

"And I'll just bet that I never want to reviver again."

Mrs. French is in St. Anthony's Hospital in a rather critical condition, but the belief is that she will recover. Her left eye was removed Sunday night, and unless blood poison sets in her physician is of the opinion that she will recover.

Miss Ferrell was arrested by Capt. James Kinnearay yesterday morning on a charge of shooting and wounding. Her attorney as well as the unfortunate accident had something to do with the tears, and although she was taken no farther than the Seventh district station-house, where she was put in a cell, the ordeal was not done. She was held in custody. The arrest of Miss Ferrell by Capt. Kinnearay was merely a "formal" affair, as it is believed, that she was well enough to stand trial. Until Mrs. French is well enough to make a statement, however, it is probable that Miss Ferrell will be kept under bond.

UNFAIR ADVANTAGE

CHARGED AGAINST ONE RIVAL BY WORSTED ONE.

Morris Humes, in First Fight With Jacob Hepner, Said To Have Resorted To Use of Razor.

Alleged to have broken an agreement for a fist fight with his rival for the attention of the same young woman, he is charged with having tried to break with a razor. Morris Humes, aged twenty-two years, was arrested by Patrolmen Reiss and Few yesterday morning charged with maliciously cutting Jacob Hepner, of 211 Preston street. Though Hepner's wounds are bad enough to need medical attention, the attending physician declared that his condition was not serious. The case was called in Police Court yesterday morning and was continued to Wednesday.

According to Hepner, he and Humes are in love with the same young woman and in order to find out who was to try to win the fair one first, they determined on the method of the big stick days, the "survival of the fittest." They decided that on Sunday afternoon they would meet at a park at the end of Preston street and that their fists determine who was the best man.

When they met at the park and they fought, Hepner declares. He further alleges that he was proving himself to be the best man when Humes cut his breast and slashed him with it several times with the result that his breast is now worse than his hand. Hepner was arrested at his home in Stratton's addition. He declares that he cut Hepner in the hand and that their fists determined who was the best man.

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PETITIONER IN BANKRUPTCY QUOTES DEFUNCT FIRM DEBTS.

William S. Young, of Louisville, was associated with Wood & Bryan, of Montgomery, Ala.

A petition in voluntary bankruptcy was filed in the United States Court yesterday by William S. Young, of Louisville, who gave his occupation as a clerk. His liabilities amount to \$4,867.42, while his assets are given as \$15. The petitioner quotes the assets and liabilities of the firm of Wood & Bryan, of Alabama, defunct, of which he was a member. According to the schedule of liabilities, the firm of Winter, Young & Co. of Montgomery, and the firm of Wood & Bryan having purchased on credit merchandise to the amount of \$1,000, and the firm of Wood & Bryan on credit from Grelf Bros. Company of Montgomery, merchandise to the amount of \$1,165.37. The firm of Winter, Young & Co. also hold no debts against the firm of Wood & Bryan for \$997.33 borrowed money. The other indebtedness ranges in amounts from \$30 to \$900.

FUNERAL SERVICES HELD FOR DR. W. T. LEACHMAN.

Simple services marked the closing of the brilliant career of Dr. W. T. Leachman, who died yesterday morning at the funeral which was held from the Grace Episcopal church at 2 o'clock yesterday afternoon. The services were conducted by Rev. L. C. Johnson, rector of the church, who made a short eulogistic address of Dr. Leachman. Many friends of the dead physician, while the family yesterday received many flowers, showed a marked lack of esteem in which Dr. Leachman was held.

The pallbearers were: Col. W. B. Haldeman, Richard Schaeffer, Dr. August Schaeffer, Richard Macchendorf, Dr. T. Coleman and Dr. William Bailey. The burial was private.

\$6 MAMMOTH CAVE and return next Sunday May 26, including long route and all expenses. Ask for particulars.

L. & N. TKT OFFICE, Paul Jones Bldg.

THE VALUE OF PERSONAL KNOWLEDGE

Personal knowledge is the winning factor in the culminating contests of this competitive age and when of ample character it places its fortunate possessor in the front ranks of the Well Informed of the World.

A vast fund of personal knowledge is really essential to the achievement of the highest excellence in any field of human effort.

A Knowledge of Forms, Knowledge of Functions and Knowledge of Products are all of the utmost value and in questions of life and health when a true and wholesome remedy is desired it should be remembered that Syrup of Figs and Elixir of Senna manufactured by the California Fig Syrup Co., is an ethical product which has met with the approval of the most eminent physicians and gives universal satisfaction, because it is a remedy for all classes of merchants and manufacturers.

Known Quality, Known Excellence and Known Component Parts and has won the valuable patronage of millions of the Well Informed of the world, who know of their own personal knowledge and from actual use that it is the first and best of family laxatives, for which no extravagant or unreasonable claims are made.

This valuable remedy has been long and favorably known under the name of Syrup of Figs—and has attained to worldwide acceptance as the most excellent family laxative. As its pure laxative principles, obtained from Senna, are well known to physicians and the Well Informed of the world to be the best we have adopted the more elaborate name of—Syrup of Figs and Elixir of Senna—as more fully descriptive of the remedy, but doubtless it will always be called for by the shorter name of—Syrup of Figs—and to get its beneficial effects, always note, when purchasing the full name of the Company—California Fig Syrup Co.—printed on the front of every package, whether you call for—Syrup of Figs—or by the full name—Syrup of Figs and Elixir of Senna.

CALIFORNIA FIG SYRUP CO.

SAN FRANCISCO, CAL.
LOUISVILLE, KY.
U.S.A.
LONDON, ENGLAND.
NEW YORK, N.Y.

KIND OF AMUSEMENT

NOT SPECIFIED IN LEASE ON MARY ANDERSON THEATER.

Copy Filed At Courthouse—Rents Fixed On Rising Scale With Arbitration When \$12,500 Is Reached.

WHEN YOU BUILD

USE SANITARY—CLEAN
No planing or scraping when laid.

"Ky. Star Brand" Hardwood Flooring
KY. HARDWOOD FLOORING CO.

\$21.05

Atlantic City and Return

B. & O. S.W.

May 30, 31, June 1, 2, 3. Long Return Limit.

Ask Agent, New Lincoln Bldg., Fourth and Market.

Monon Route \$12.60
CHICAGO AND RETURN.

Every day. Compartment Sleepers. Two Standards daily from Tenth and Broadway City office, 222 Fourth. Telephones, 1191.

DENIAL OF RUMOR

THAT DAISY LINE WILL STOP AT ELEVENTH STREET.

Denied By Representative of Company in New Albany—Nothing of the Sort Contemplated.

LASSOES HER DRUNKEN HUSBAND FOR POLICE.

Because her husband, she says, was in an advanced state of inebriety when he came to her, she threw a basket over his head and threatened to kill her. Mrs. John Aden reported her belligerent husband and had him in the court house, where he was given a wash-line rope as a lasso. Mrs. Aden threw it around her spouse's arms and losing its shaky foundation, he stumbled and fell, breaking his hand and foot. Mrs. Aden then called for assistance and took Aden to the hospital, paying his expenses and toad Aden to change his conduct.

Aden was presented in Police Court yesterday morning and fined \$20 and put under bond for a bond of \$80 for thirty days.

FINED FOR STARTING ROW AT FONTAINE FERRY PARK.

For creating a disturbance at Fontaine Ferry Park Sunday afternoon four boys—John Schmitz, Edward Strutz, John T. and Fredrick O'Connor were fined in Magistrate O'Connor's court yesterday morning. The fine of \$10 was suspended pending payment of fines. The fine will appear Friday to answer to a charge of carrying a concealed and deadly weapon, and if he fails to appear, the party will be tried for breach of the peace to-day. All of the young men were arrested by park police and were taken to the police station. They had started some trouble near the men's room. Drama is alleged to have drawn a revolver during the row.

ST. LOUIS B. & O. S.W.

Best Way—More Trains.

N. W. Cor. 4th and Market.

It is rumored that the Louisville and Northern Railway Company, operating the Daisy line between Louisville and New Albany, will discontinue the use of the tracks of the Short Route Railroad Company from Eleventh street to First street some time in June. The right of way from Eleventh street to First street is occupied by the Short Route Railroad Company. The right of way from Eleventh street to Thirty-first street is occupied by the Louisville and Indiana Bridge Company. The report has it that the Daisy line will continue to run to Eleventh street and that some other arrangement will be made in the central part of the city will be made.

Marin Martin, who represents the Louisville and Northern Railway Company in New Albany, last night denied the rumor that the service of his line between Eleventh street and First street would be discontinued. He said the report had been founded and that his company had given no reason for it.

The Louisville and Southern Indiana Snow.

is now one of our specialties, and we make them as good and fine as we do all other construction.

THE ALFRED STRUCK CO.

Incorporated.

Contractors and Builders.

Phone Main 40. Louisville, Ky.

Daily Demonstration on the New Process VISIBLE Gas Range.

By Mrs. B. Haffner at the New York Store.

"BILL" MARTIN, AUTHOR OF NEW HORSESHOE GARDEN, NEAR FOURTH DISTRICT STATION

Pride of Officers and Men, and Thing of Real Beauty— Meant As Surprise To Captain Krakel.

Wagon Guard "Bill" Martin, of the Fourth police district, a week ago disclosed his secret to the district chief. He walked until Capt. Andrew Krakel took his vacation to perform the rash act and the same day, in order to square himself with the men of the district, he started to work on a flower garden just west of the station-house in which, until yesterday, he had planted ninety-six different kinds of flowers. One of the plants, which are not only one of the rest of the rest, have gone so far as to open a blossom.

The garden project is the pride of every officer and patrolman in the Fourth. Even Lieut. O'Brien approves of the idea except that he wanted a few radishes growing in the rose garden. To this "Bill" Martin objected on the ground that geraniums and radishes and other things wouldn't mix well and besides the garden wasn't intended for vegetables anyhow.

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Judge Alex P. Humphrey was unable to appear before Judge A. E. Richards yesterday afternoon to give his argument on the validity of the streetcar franchises, and on that account Judge Humphrey said yesterday afternoon that it was rather late in the evening when he had his opinion ready on the matter ready for submission at the meeting of the Board of Commissioners. The Board of Commissioners were: Col. W. B. Haldeman, Richard Macchendorf, Dr. T. Coleman and Dr. William Bailey. The hearing was private.

JUDGE RICHARDS MAY NOT HAVE OPINION BY TO-NIGHT.

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HALDEMAN WAREHOUSE,

S. W. Cor. 3d and Green.

ABSOLUTELY FIREPROOF.

Household Goods \$1.50 to \$5 per Mo.

Boxes in Vault 25c to 50c per Mo.

WINTERSMITH'S TONIC TONES.

Make a Bid on the Handsome Bailey Piano

IN OUR WINDOW.

It goes at your price! To the highest bidder on June 1.

Because of the unusual success of the unique sale of the Nixon Piano last week, and because so many were disappointed by failing to secure it, we have decided to offer this Bailey Piano on the same terms.

THIS PIANO SELLS FROM \$275 TO \$300, according to length of time of payments. It is a well-known Eastern make and carries a guarantee of 10 years from the manufacturer.

EXAMINE IT AND MAKE A BID.

IT'S IN OUR WINDOW.

USE THIS COUPON.

SMITH & NIXON CO.:

My bid for the Bailey Piano exhibited in your window is \$.....

I will pay you..... Cash and \$..... Per month until paid.

Name.....

C.J.

Seal your bid and either bring it to our store or mail it. All bids should be marked special offer. These bids will be opened Saturday evening, June 1, at 9 o'clock, and the Piano will be awarded at that time to the highest bidder.

SMITH & NIXON CO., INCORPORATED.
650 AND 652 FOURTH AVENUE.

D. H. BALDWIN & CO.

Manufacturers of

Fine Pianos.

The "Baldwin,"

"Hamilton,"

"Ellington,"

"Howard"

And other well-known makes constituting a product that has received the highest honors at home and abroad.

Grand Prize Grand Prize St. Louis 1904. Paris 1900.

Salesrooms:

529-531 Fourth Ave.

For the Races.

We have just received a fine line of Timers and Split Second WATCHES.

Our Stock of DIAMONDS is large and at the right prices. SPECIAL—7-jewel Elgin in 20-year filled case \$10.00

GEO. WOLF & CO., 528 FOURTH AVE.

Members Retail Merchants' Assn.

KY. AUTO CO. Incorporated.

1049 THIRD.

BUICK 4-CYLINDER.

New model, just arrived, proves a genuine sensation. Nothing to approach it in the market at anywhere near the price.

MODEL D. 30-HORSE-POWER, with the new five-point suspension and many high-class features.

Price, delivered, with fine full lamp and horn equipment \$1,943.

Come in